

Docket No.: 2185-0156P
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John E. BOYNTON et al.

Application No.: 09/331,723

Confirmation No.: 2008

Filed: August 18, 1999

Art Unit: 1638

For: METHODS OF CONFERRING PPO-
INHIBITING HERBICIDE RESISTANCE TO
PLANTS BY GENE MANIPULATION

Examiner: A. D. Mehta

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of November 2007 for the above-identified

☒ application ☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND <u>REQUESTED</u>
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input checked="" type="checkbox"/> excess claims	<u>\$150.00</u>
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____

<input type="checkbox"/>	patent maintenance fee	_____
<input type="checkbox"/>	first maintenance fee	_____
<input type="checkbox"/>	second maintenance fee	_____
<input type="checkbox"/>	third maintenance fee	_____
<input type="checkbox"/>	patent maintenance fee surcharge	_____
<input type="checkbox"/>	Other:	_____

TOTAL REFUND REQUESTED

\$150.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Applicants were charged for the additional claims fee of \$150.00 on November 22, 2007 in connection with the present application. However, Applicants paid \$250.00 for the additional five (5) dependent claims fee on October 9, 2007 (79 total claims – 74 previously paid claims) when the Amendment was filed with the two month extension of times fee. Accordingly, \$150.00 was charged to our deposit account in error.

Applicants respectfully request a refund of \$150.00.

Application No.: 09/331,723

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IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

Dated: JUN 30 2008

Respectfully submitted,

By 

Gerald M. Murphy, Jr.

Registration No.: 28,977

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment(s)

BIRCH, STEWART, KOLASCH & BIRCH, LLP
Oct 2007 Deposit Account Reconciliation

Date	Reference No.	Docket Number	Fee Code	BSKB Code	Fee
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22-Oct	9331723	2185-0156P	1202	DAC	\$150.00
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